

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1001(ss) be amended to read as follows:

- 1 Page 305, between lines 9 and 10, begin a new paragraph and insert:
- 2 "SECTION 286. IC 8-22-3.5-1, AS AMENDED BY P.L.124-2006,
- 3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2009]: Sec. 1. This chapter applies to the following:
- 5 (1) Each county having a consolidated city.
- 6 (2) Each city having a population of more than ninety thousand
- 7 (90,000) but less than one hundred five thousand (105,000).
- 8 (3) Each county having a population of more than one hundred
- 9 five thousand (105,000) but less than one hundred ten thousand
- 10 (110,000).
- 11 (4) Each county having a population of more than three hundred
- 12 thousand (300,000) but less than four hundred thousand
- 13 (400,000).
- 14 (5) Each county having a population of more than one hundred
- 15 seventy thousand (170,000) but less than one hundred eighty
- 16 thousand (180,000).
- 17 (6) Each county having a population of more than one hundred
- 18 eighteen thousand (118,000) but less than one hundred twenty
- 19 thousand (120,000).
- 20 **(7) Each city having a population of more than fifty-nine**
- 21 **thousand seven hundred (59,700) but less than sixty-five**
- 22 **thousand (65,000).**
- 23 SECTION 287. IC 8-22-3.5-2, AS AMENDED BY P.L.124-2006,
- 24 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2009]: Sec. 2. As used in this chapter, "commission" refers to the following:

(1) With respect to a county having a consolidated city, the metropolitan development commission acting as the redevelopment commission of the consolidated city, subject to IC 36-3-4-23.

(2) With respect to a city described in section 1(2) of this chapter, the board of the airport authority for the city.

(3) With respect to a county described in section 1(3) of this chapter, the board of an airport authority that is jointly established by the county and a municipality under IC 8-22-3.

(4) With respect to a county described in section 1(4) or 1(5) of this chapter, the board of an airport authority that is jointly established by the county and a municipality under IC 8-22-3.

(5) With respect to a county described in section 1(6) of this chapter, the board of an airport authority that is established by the county.

**(6) With respect to a city described in section 1(7) of this chapter, the airport board for the city.**

SECTION 288. IC 8-22-3.5-2.5, AS AMENDED BY P.L.124-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2.5. Notwithstanding IC 8-22-1-6, as used in this chapter, "eligible entity" refers to any of the following:

(1) A consolidated city.

(2) A city described in section 1(2) of this chapter.

(3) A city in a county described in section 1(3) of this chapter.

(4) A county described in section 1(4) of this chapter.

(5) A city located in a county described in section 1(4) of this chapter.

(6) A county described in section 1(5) of this chapter.

(7) A city located in a county described in section 1(5) of this chapter.

(8) A county described in section 1(6) of this chapter.

**(9) A city described in section 1(7) of this chapter.**

SECTION 289. IC 8-22-3.5-3, AS AMENDED BY P.L.124-2006, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) As used in this chapter, "qualified airport development project" means an airport development project that has a cost of the project (as defined in IC 4-4-10.9-5) greater than:

(1) five hundred million dollars (\$500,000,000), if the project is to be located in a county having a consolidated city; or

(2) two hundred fifty thousand dollars (\$250,000), if the project is to be located in:

(A) a city described in section 1(2) **or 1(7)** of this chapter; or

(B) in a county described in section 1(3), 1(4), 1(5), or 1(6) of this chapter.

Except as provided by subsection (b), the term includes any portion or

expansion of the original qualified airport development project used by one (1) or more successor tenants.

(b) For purposes of section 9 of this chapter, the definition of "qualified airport development project" does not include any portion of, or expansion of, the original qualified airport development project used by a successor tenant unless the commission adopts a resolution to amend the definition to include that portion or expansion.

SECTION 290. IC 8-22-3.5-5, AS AMENDED BY P.L.124-2006, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. (a) The commission may designate an area within the jurisdiction of an airport authority under IC 8-22-3 as an airport development zone if the commission finds by resolution the following:

(1) In order to promote opportunities for the gainful employment of the citizens of the eligible entity and the attraction of a qualified airport development project to the eligible entity, an area under the jurisdiction of the airport authority should be declared an airport development zone.

(2) The public health and welfare of the eligible entity will be benefited by designating the area as an airport development zone.

(b) If the airport development zone will be located in a consolidated city or in a county described in section 1(3), 1(4), 1(5), or 1(6) of this chapter, the resolution adopted under subsection (a) must also include a finding that there has been proposed a qualified airport development project to be located in the airport development zone, with the proposal supported by:

(1) financial and economic data; and

(2) preliminary commitments by business enterprises that evidence a reasonable likelihood that the proposed qualified airport development project will be initiated and accomplished.

(c) If the airport development zone will be located in a city described in:

(1) section 1(2) of this chapter, the resolution adopted under subsection (a) must also include findings stating that the most recent federal decennial census for the city indicates ~~that~~ **the following:**

~~(1)~~ **(A)** The unemployment rate for the city is at least thirteen percent (13%).

~~(2)~~ **(B)** The population of the city has decreased by at least ten percent (10%) as compared to the population reported in the preceding federal decennial census for the city.

~~(3)~~ **(C)** The median per capita income for city residents does not exceed eighty percent (80%) of the median per capita income for all residents of the United States. ~~and~~

~~(4)~~ **(D)** At least twenty-five percent (25%) of the population of the city is below the federal income poverty level (as defined

- 1 in IC 12-15-2-1); or
- 2 **(2) section 1(7) of this chapter, the resolution adopted under**
- 3 **subsection (a) must also include findings stating the following:**
- 4 **(A) There has been proposed a qualified airport**
- 5 **development project to be located in the airport**
- 6 **development zone, with the proposal supported by:**
- 7 **(i) financial and economic data; and**
- 8 **(ii) preliminary commitments by business enterprises**
- 9 **that evidence a reasonable likelihood that the proposed**
- 10 **qualified airport development project will be initiated**
- 11 **and accomplished.**
- 12 **(B) The city has Interstate Highway 69 serving the airport**
- 13 **and the city's residents and facilitating commerce and free**
- 14 **travel within and through the Midwestern United States.**
- 15 (d) The resolution adopted under subsection (a) must describe the
- 16 boundaries of the area. The description may be by reference to the
- 17 area's location in relation to public ways or streams, or otherwise, as
- 18 determined by the commission.
- 19 (e) If the airport development zone will be located in a county
- 20 described in section 1(4), 1(5), or 1(6) of this chapter, the resolution
- 21 adopted under subsection (a) and any qualified airport development
- 22 project to be located in the airport development zone, must be approved
- 23 by the executive of:
- 24 (1) the county, if the entire airport development zone or qualified
- 25 airport development project will be located outside the boundaries
- 26 of any municipality located in the county;
- 27 (2) a municipality located in the county, if the entire airport
- 28 development zone or qualified airport development project will
- 29 be located within the boundary of the municipality; or
- 30 (3) the county and a municipality located in the county, if the
- 31 airport development zone or qualified airport development project
- 32 will be located within the boundary of the county and in part
- 33 within the boundary of the municipality.
- 34 SECTION 291. IC 8-22-3.5-14, AS AMENDED BY P.L.146-2008,
- 35 SECTION 366, IS AMENDED TO READ AS FOLLOWS
- 36 [EFFECTIVE JULY 1, 2009]: Sec. 14. (a) This section applies only to
- 37 an airport development zone that is in a:
- 38 (1) city described in section 1(2) **or 1(7)** of this chapter; or
- 39 (2) county described in section 1(3), 1(4), or 1(6) of this chapter.
- 40 (b) Notwithstanding any other law, a business or an employee of a
- 41 business that is located in an airport development zone is entitled to the
- 42 benefits provided by the following statutes, as if the business were
- 43 located in an enterprise zone:
- 44 (1) IC 6-3-2-8.
- 45 (2) IC 6-3-3-10.
- 46 (3) IC 6-3.1-7.
- 47 (4) IC 6-3.1-9.

1 (5) IC 6-3.1-10-6.

2 (c) Before June 1 of each year, a business described in subsection  
3 (b) must pay a fee equal to the amount of the fee that is required for  
4 enterprise zone businesses under IC 5-28-15-5(a)(4)(A). However,  
5 notwithstanding IC 5-28-15-5(a)(4)(A), the fee shall be paid into the  
6 debt service fund established under section 9(e)(2) of this chapter. If  
7 the commission determines that a business has failed to pay the fee  
8 required by this subsection, the business is not eligible for any of the  
9 benefits described in subsection (b).

10 (d) A business that receives any of the benefits described in  
11 subsection (b) must use all of those benefits, except for the amount of  
12 the fee required by subsection (c), for its property or employees in the  
13 airport development zone and to assist the commission. If the  
14 commission determines that a business has failed to use its benefits in  
15 the manner required by this subsection, the business is not eligible for  
16 any of the benefits described in subsection (b).

17 (e) If the commission determines that a business has failed to pay  
18 the fee required by subsection (c) or has failed to use benefits in the  
19 manner required by subsection (d), the commission shall provide  
20 written notice of the determination to the department of state revenue,  
21 the department of local government finance, and the county auditor.".

22 Renumber all SECTIONS consecutively.

(Reference is to HB 1001(ss) as printed June 15, 2009.)

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Representative Austin